

South Carolina Department of Health and Environmental Control
Office of Ocean and Coastal Resource Management
104 Parker Ave.
Beaufort, South Carolina 29906

and

Charleston District, Army Corps of Engineers
69-A Hagood Ave.
Charleston, South Carolina 29403

March 19, 2014
Joint Permit Application Public Notice (*Revision*)

Sweetwater Community Association, 1994-10394-1W(14)

The Department has received an application for a permit for the alteration of a critical area. The application was submitted pursuant to the Coastal Zone Management Act (Act 123) of 1977 South Carolina General Assembly. The application in brief, is described as follows:

LOCATION: On and adjacent to Factory Creek at Between 10 & 11 Highpoint Road, Sweetwater, Beaufort, Beaufort County, South Carolina. TMS: R200 015 000 0120 0000.

WORK: The work as proposed consists of making additions to a community dock. Specifically, the applicant seeks to add a 5'x 20' walkway from the existing pierhead. The new walkway will lead to a 30' ramp and relocated 8' x 156' floating dock. The work as described is for recreational use for the Sweetwater Community Association members and guests. **PLEASE NOTE:** This is a revision from the original public notice date of February 27, 2014 changing the additional walkway from 3' x 20' to 5' x 20'. All other components remain the same.

This public notice is being distributed to all known interested persons and agencies to assist in developing facts on which a decision by the Department can be based. Comments concerning the proposed work must be submitted in writing, setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition.

Comments regarding this application must be received by the Department on or before **April 18, 2014**. For more information, please contact:

Geordy Madlinger at **843-846-9400** or via email at **madlingj@dhec.sc.gov**.

NOTE: Plans depicting the proposed work are available and will be provided upon receipt of a written request or may be viewed on the Department website at **www.scdhec.gov/environment/ocrm/public_notice.htm**.

REVISION TO A

MODIFICATION JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
Charleston, South Carolina 29403-5107
and

THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
Office of Ocean and Coastal Resource Management
1362 McMillan Avenue, Suite 400
Charleston, South Carolina 29405

REGULATORY DIVISION

Refer to: P/N #SAC-1994-10394-1W (formerly 94-1E-321)

18 MARCH 2014

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), and the South Carolina Coastal Zone Management Act (48-39-10 et seq.) an application has been submitted to the Department of the Army and the South Carolina Department of Health and Environmental Control by

SWEETWATER COMMUNITY ASSOCIATION
c/o GASQUE & ASSOCIATES
ATTN.: TARA PRICE
POST OFFICE BOX 1363
BEAUFORT, SOUTH CAROLINA 29901

for a REVISION TO A permit modification REQUEST ADVERTISED ON PUBLIC NOTICE ON 21 FEBRUARY 2014 to relocate an existing floating dock, add an additional section of walkway and relocate an existing ramp on an existing community dock in waters of

FACTORY CREEK

at a location adjacent to an existing dock access corridor at the end of Highpoint Road off of Sunset Boulevard in the Town of Beaufort, Beaufort County, South Carolina (Latitude 32.419378°, Longitude -80.653904°)

REVISED NOTICE

is hereby given that written statements regarding the proposed work will be received by the Corps until

15 Days from the Date of this Notice,

from those interested in the activity and whose interests may be affected by the proposed work. THE ADDITIONAL SECTION OF WALKWAY PROPOSED HAS BEEN REVISED FROM 3' X 20' TO 5' X 20'. THE PURPOSE OF THE PROJECT REMAINS THE SAME.

REGULATORY DIVISION

Refer to: P/N #SAC-1994-10394-1W (formerly 94-1E-321)

21 FEBRUARY 2014

The work shown on this application must also be certified as consistent with applicable provisions of the Coastal Zone Management Program (15 CFR 930). The District Engineer will not process this application to a conclusion until such certification is received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review. Persons wishing to comment or object to State certification must submit all comments in writing to the South Carolina Department of Health and Environmental Control at the above address within thirty (30) days of the date of this notice.

This initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

Pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended), the applicant has provided a protected species survey for the property associated with the activity described above. Based upon this report, the District Engineer has determined that the project is not likely to adversely affect any Federally endangered, threatened, or proposed species or result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request for written concurrence from the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service on this determination.

Pursuant to Section 106 of the National Historic Preservation Act (NHPA), this public notice also constitutes a request to Indian Tribes to notify the District Engineer of any historic properties of religious and cultural significance to them that may be affected by the proposed undertaking.

In accordance with the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. To insure that other cultural resources that the District Engineer is not aware of are not overlooked, this public notice also serves as a request to the State Historic Preservation Office to provide any information it may have with regard to historic and cultural resources.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and

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21 FEBRUARY 2014

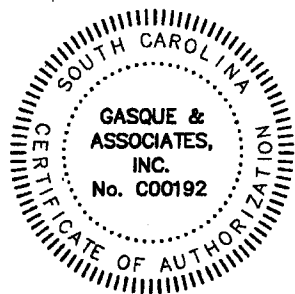
conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

If there are any questions concerning this public notice, please contact Debbie King at 843-329-8044 or toll free at 1-866-329-8187.

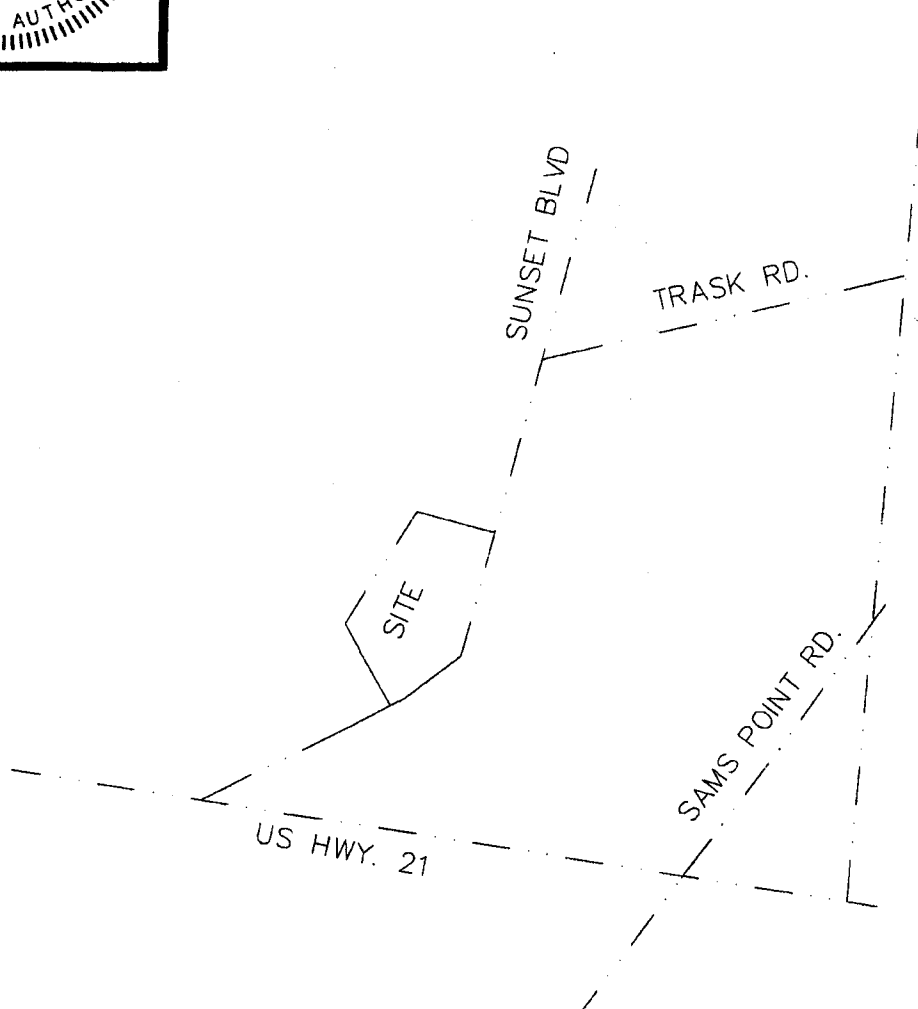
Geordy Madlinger
SCDHEC - OCRM

843 846-9400



GASQUE & ASSOCIATES INC.
LAND SURVEYORS & PLANNERS

28 PROFESSIONAL VILLAGE CIRCLE, BEAUFORT, S.C.
P.O. BOX 1363, BEAUFORT, S.C.
PHONE (843) 522-1798



(N.T.S.)

[Signature] 11-27-17

SURVEYOR SIGNED HEREON IS CHARGED WITH SURVEY MATTERS AND THE PHYSICAL DRAWING ON A COMPUTER DRAFTING SYSTEM ONLY. THIS IS NOT A DESIGN OR INTENDED TO BE ONE. ALL DEPICTIONS THAT ARE NOT SURVEY MATTERS IS PROVIDED BY OTHERS.

SAC-1994-10394-1W, formerly 94-1E-321

ADJACENT PROPERTY OWNERS:

1. WILLIAM B. HARVEY III
R200 015 000 0700
11 HIGHPOINT ROAD
BEAUFORT SC 29907
2. JOSEPH P & AMM MARIE DIXON
R200 015 000 0699
265 GREEN ROAD
EAST MONTPELIER VT 05851

Sheet 1 of 5
R200 015 000 0120 0000
SWEETWATER COMMUNITY
ASSOCIATION
3 HIGHPOINT ROAD
BEAUFORT SC, 29907

DOCK PERMIT SURVEY

IN: FACTORY CREEK
AT: LADY'S ISLAND
COUNTY OF: BEAUFORT
STATE: SOUTH CAROLINA

JOB# 40870 DSGN 7

DATE: 10/23/2013

RECEIVED
DEC 05 20
DHEC-OCRA
CHARLESTON, SC

Sheet 2 of 5

RECEIVED

BRASQUE & ASSOCIATES INC.
LAND SURVEYOR PLANNERS
701 BROAD STREET, 2ND FLOOR, BEAUFORT, S.C.
28520-1100
PH: 843-725-1100

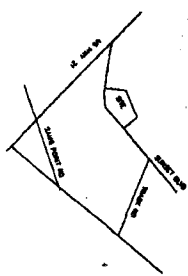
ANNE M. KINGHORN
SAC-1994-10394-1W, formerly 94-1E-321
SWEETWATER SUBDIVISION
FOR THE FRIPP
COMPANY, INC.
BEAUFORT COUNTY
SOUTH CAROLINA
DATE 12/12/94 SCALE 1"=40'
REVISED 03/20/95

NOTES:
1) THIS SURVEY IS BASED ON THE RECORDS OF THE BEAUFORT COUNTY CLERK'S OFFICE.
2) THE PROPERTY LIES IN 14000 ZONE, 17' AS SETBACK BY T.E.M.A. TRAIL CORP. MAPS, NUMBER 100000 0102, 2 SHEET, 6-19-94.

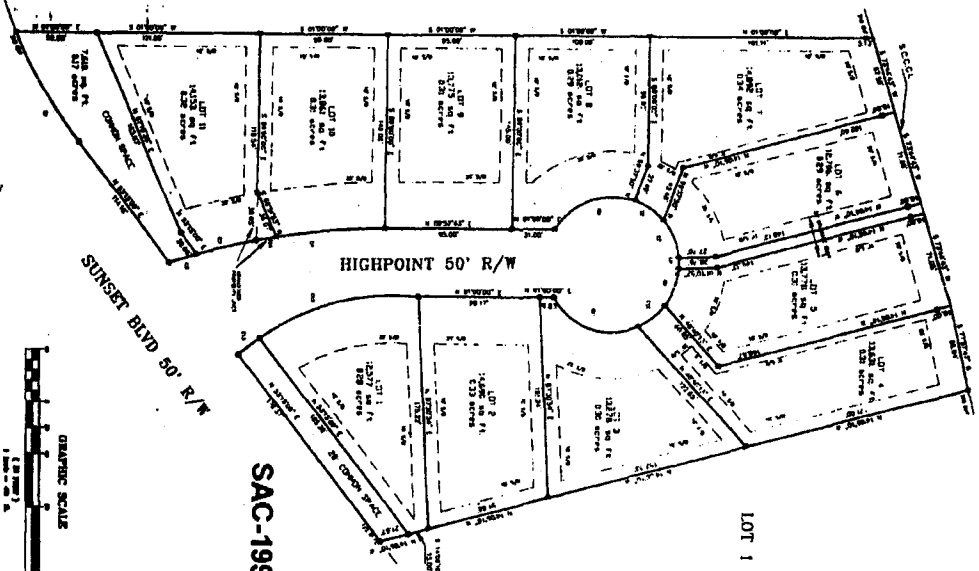
REFERENCES:
1) BEAUFORT TO MAP 15, PAGE 170
2) MAP BY MR. THOMAS A. HARRIS, 1984, BEAUFORT COUNTY CLERK'S OFFICE.

NOTE: ALL CORNERS 1/2 MOON UNLESS OTHERWISE STATED.

LOCATION MAP (N-S)



ANNE M. KINGHORN



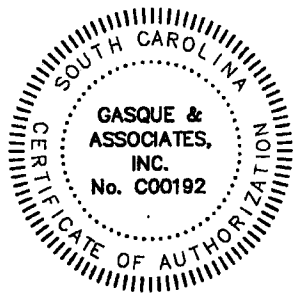
SAC-1994-10394-1W, formerly 94-1E-321

SWEETWATER SUBDIVISION
FOR THE FRIPP
COMPANY, INC.
BEAUFORT COUNTY
SOUTH CAROLINA

DATE 12/12/94 SCALE 1"=40'
REVISED 03/20/95



PROBEN #
SA
PC
15 APR 1995
RECEIVED
JAN 12 1995



GASQUE & ASSOCIATES INC.

LAND SURVEYORS & PLANNERS

28 PROFESSIONAL VILLAGE CIRCLE, BEAUFORT, S.C.

P.O. BOX 1363, BEAUFORT, S.C.

PHONE (843) 522-1798

FACTORY CREEK

EBB FLOOD

ADJACENT DOCK

ADJACENT DOCK

EXISTING FLOAT
EXISTING RAMP
EXISTING WALKWAY

N 213454.5020
E 2106705.6390

EXISTING WALKWAY

65.04'
S 77°57'47" W
55°16'10" W
65.93'

8' DOCK ACCESS
71.05'
S 73°44'43" W

LOT 4

LOT 6

LOT 5

LOT 7

LOT 3

N 213274.3800
E 2106625.0540

DATE 11/27/13
SIGNATURE
THE CRITICAL LINE SHOWN ON THIS PLAT IS VALID FOR FIVE YEARS FROM THE DATE OF THIS SIGNATURE, SUBJECT TO THE CAUTIONARY LANGUAGE ABOVE.

DHEC-OCRM CRITICAL LINE

THE AREA SHOWN ON THIS PLAT IS A REPRESENTATION OF DEPARTMENT PERMIT AUTHORITY ON THE SUBJECT PROPERTY. CRITICAL AREAS BY THEIR NATURE ARE DYNAMIC AND SUBJECT TO CHANGE OVER TIME. BY DELINEATING THE PERMIT AUTHORITY OF THE DEPARTMENT, THE DEPARTMENT IN NO WAY WAIVES ITS RIGHT TO ASSERT PERMIT JURISDICTION AT ANY TIME IN ANY CRITICAL AREA ON THE SUBJECT PROPERTY, WHETHER SHOWN HEREON OR NOT.

11-27-13
SURVEYOR SIGNED HEREON IS CHARGED WITH SURVEY MATTERS AND THE PHYSICAL DRAWING ON A COMPUTER DRAFTING SYSTEM ONLY. THIS IS NOT A DESIGN OR INTENDED TO BE ONE. ALL DEPICTIONS THAT ARE NOT SURVEY MATTERS IS PROVIDED BY OTHERS.

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BEAUFORT SC 29907
- JOSEPH P & AMM MARIE DIXON
R200 015 000 0699
265 GREEN ROAD
EAST MONTPELIER VT 05851

0 30 60 120



SCALE: 1"=60'

R200 015 000 0120 0000
SWEETWATER COMMUNITY
ASSOCIATION
3 HIGHPOINT ROAD
BEAUFORT SC, 29907

DOCK PERMIT SURVEY

IN: FACTORY CREEK
AT: LADY'S ISLAND

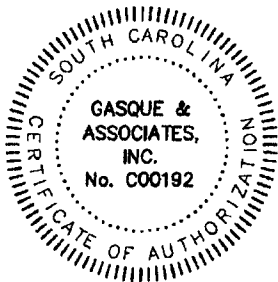
COUNTY OF: BEAUFORT
STATE: SOUTH CAROLINA

Sheet 3 of 5

JOB# 40870 DSGN 7

DATE: 10/23/2013

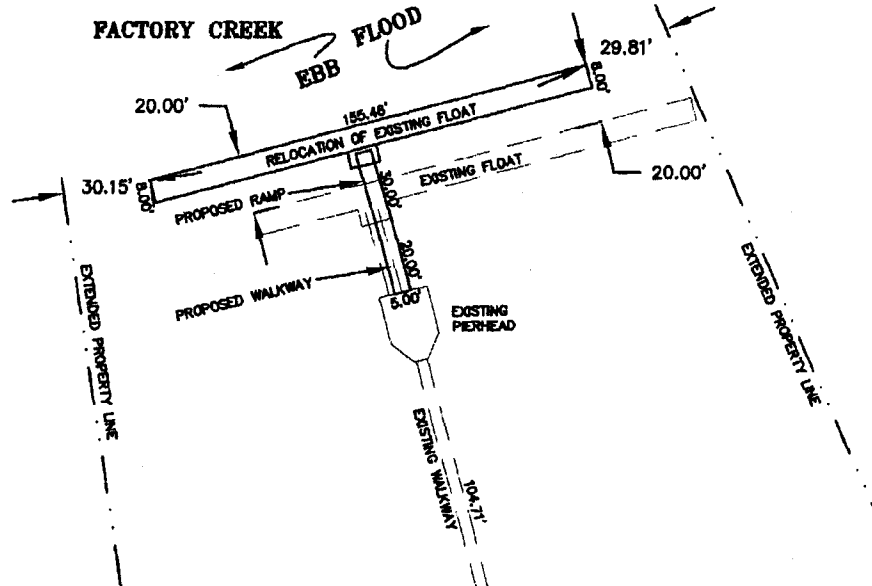
DATE: 10/23/2013



GASQUE & ASSOCIATES INC.
LAND SURVEYORS & PLANNERS

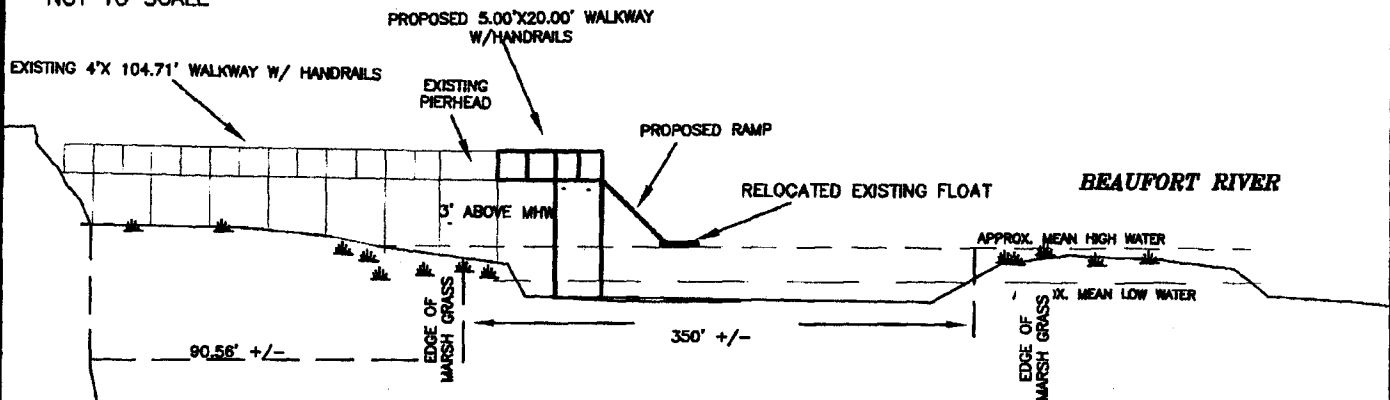
28 PROFESSIONAL VILLAGE CIRCLE, BEAUFORT, S.C.
P.O. BOX 1363, BEAUFORT, S.C.
PHONE (843) 522-1798

C SHEET # 2 OF 3



NOT TO SCALE

PROFILE VIEW



DHEC-OCRM CRITICAL LINE
GEORDIE MADLINGER
OCRM 11/22/13

(N.T.S.)

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DOCK PERMIT SURVEY

Sheet 5 of 5
IN: FACTORY CREEK
AT: LADY'S ISLAND

COUNTY OF: BEAUFORT
STATE: SOUTH CAROLINA

JOB# 40870 USGN 7

DATE: 10/23/2013